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DEP & REF  
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Patent  
Attorney Docket No. 003510-110

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )

Kazuhiro FUJIMAKI et al. )

Application No.: 09/932,975 )

Filed: August 21, 2001 )

For: IMAGE RECORDING )  
MATERIAL )

ATTENTION: FRANK LEBRON  
REFUNDS MANAGER

Group Art Unit: 1752

Examiner: Barbara Gilliam

Confirmation No.: 6820

REQUEST FOR REFUND

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. Section 1.26, Applicants respectfully request a refund in the amount of \$410.00 in connection with the above-identified application.

On June 10, 2003, Applicants' attorney timely filed a Response To Restriction Requirement in response to an Official Action issued by the U.S. Patent and Trademark Office on March 10, 2003, for which the Examiner set a statutory period of three months for reply.

On the June 2003 Monthly Statement of Deposit Account, a charge in the amount of \$410.00 was incorrectly charged to the undersigned's Deposit Account No. 02-4800 under Sequence No. 2, for an extension of time for the Response filed on

01-02-04

June 10, 2003. As the Response was filed within the three month statutory period set forth in the Official Action of March 10, 2003, no extension of time was necessary.


Accordingly, Applicants respectfully request a refund in the amount of \$410.00 be made to Deposit Account No. 02-4800.

A copy of the June 10, 2003 postcard stamped received by the U.S. Patent and Trademark Office, as well as a copy of the Official Action mailed March 10, 2003 and a copy of the Response thereto, the Deposit Account Statement dated June 2003, and a duplicate copy of this Request, are enclosed herewith.

If any additional information is needed in order to effect this credit to the above Deposit Account No. 02-4800, the Office is requested to contact the undersigned by telephone.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS

By   
Robert G. Mukai  
Registration No. 28,531

Post Office Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: December 24, 2003



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,975	08/21/2001	Kazuhiro Fujimaki	003510-110	6820



Platon N. Mandros  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, VA 22313-1404

7590 03/10/2003

EXAMINER

GILLIAM, BARBARA LEE

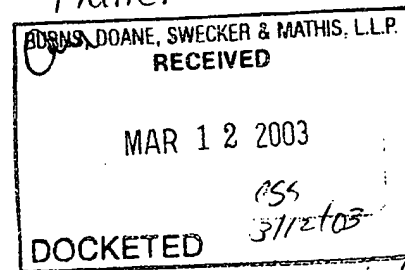
ART UNIT PAPER NUMBER

1752

DATE MAILED: 03/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

*Taryo Nakajima i kato*  
*Prm / R6m*



*Response due 6/10/03*

COPY

# Office Action Summary

Application No.

09/932,975

Applicant(s)

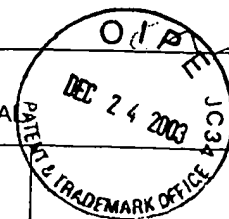
FUJIMAKI ET AL

Examiner

Barbara Gilliam

Art Unit

1752



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Prior Art filed 1/31/02.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-20 are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☒ Interview Summary (PTO-413) Paper No(s). 7.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:



Patent  
Attorney's Docket No. 003510-110

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Kazuhiro FUJIMAKI et al.

Application No.: 09/932,975

Filed: August 21, 2001

For: IMAGE RECORDING MATERIAL

) MAIL STOP NON-FEE RESPONSE  
)  
) Group Art Unit: 1752  
)  
) Examiner: Barbara Gilliam  
)  
) Confirmation No.: 6820  
)

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

- ☐ A Petition for Extension of Time is also enclosed.
- ☐ A Terminal Disclaimer and the ☐ \$55.00 (2814) ☐ \$110.00 (1814) fee due under 37 C.F.R. § 1.20(d) are also enclosed.
- ☐ Also enclosed is/are \_\_\_\_\_
- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) request continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$375.00 (2801) ☐ \$750.00 (1801) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) previously submitted \_\_\_, on \_\_\_, for which continued examination is requested.
- ☐ Applicant(s) request suspension of action by the Office until at least \_\_\_, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.
- ☒ No additional claim fee is required.
- ☐ An additional claim fee is required, and is calculated as shown below:

6-10-03JD

(05/03)

COPY

AMENDED CLAIMS					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADDT'L FEE
Total Claims		MINUS =		× \$18.00 (1202) =	
Independent Claims		MINUS =		× \$84.00 (1201) =	
If Amendment adds multiple dependent claims, add \$280.00 (1203)					
Total Amendment Fee					
If small entity status is claimed, subtract 50% of Total Amendment Fee					
<b>TOTAL ADDITIONAL FEE DUE FOR THIS AMENDMENT</b>					

☐ A claim fee in the amount of \$\_\_\_\_\_ is enclosed.

☐ Charge \$\_\_\_\_\_ to Deposit Account No. 02-4800.

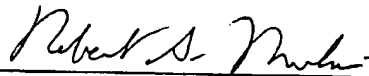
The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

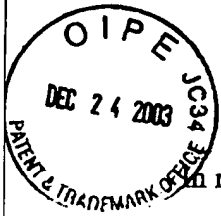
Date: June 10, 2003

By:



Robert G. Mukai  
Registration No. 28,531

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620



Patent  
Attorney's Docket No. 003510-110

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of )

Kazuhiro FUJIMAKI et al. )

Application No.: 09/932,975 )

Filed: August 21, 2001 )

For: IMAGE RECORDING MATERIAL )

Group Art Unit: 1752

Examiner: Barbara Gilliam

Confirmation No.: 6820

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Official Action dated March 10, 2003, applicants hereby elect the subject matter of Group I which currently includes claims 1-10. In view of the Examiner's determination that the subject matter of Groups I and II are unrelated, this election is made without traverse and applicants reserve the right to file a divisional application relating to the non-elected subject matter.

Favorable consideration on the merits is respectfully requested.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: \_\_\_\_\_

Robert G. Mukai

Registration No. 28,531

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: June 10, 2003

COPY





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14,853.00

6/30/03 3:49 PM



Inventor: Kazuhiro FUJIMAKI et al.

App. No. 09/932,975

Docket No.: 003510-110

Work. Atty. RGM/gas

Date: June 10, 2003



The following was/were received in the U.S. Patent and Trademark Office on the date stamped hereon: /

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Amendment or Response   | <input type="checkbox"/> Certificate Under 37 C.F.R. § 3.73(b)                                      | <input type="checkbox"/> Check for \$___ is enclosed  |
| <input type="checkbox"/> Preliminary Amendment   | <input type="checkbox"/> Transmittal Letter for Missing Parts of Application                        | <input type="checkbox"/> Check for \$___ is enclosed  |
| <input checked="" type="checkbox"/> Reply Transmittal Letter                                       | <input type="checkbox"/> Executed Declaration/Power of Attorney                                     | <input type="checkbox"/> Charge \$___ to Deposit Account  |
| <input type="checkbox"/> Petition for _ Month Extension of Time                                    | <input type="checkbox"/> Assignment/Assignment Recordation Form Cover Sheet (PTO-1595)              | <input type="checkbox"/> Issue Fee Transmittal  |
| <input type="checkbox"/> Submission of Formal Drawings w/ _ sheet(s) of drawings (Fig(s). 1-_)     | <input type="checkbox"/> Claim for Convention Priority w/ _ certified copy(s)                       | <input type="checkbox"/> Payment of Issue Fee and Authorization to charge Deposit Account       |
| <input type="checkbox"/> Request for Approval of Drawing Changes w/ _ sheet(s) of red ink drawings | <input type="checkbox"/> Information Disclosure Statement w/ _ document(s)                          | <input type="checkbox"/> Request for Refund   |
| <input type="checkbox"/> Notice of Appeal  | <input type="checkbox"/> Information Disclosure Citation (PTO-1449)                                 | <input type="checkbox"/> Status Inquiry   |
| <input type="checkbox"/> Brief for Appellant   | <input type="checkbox"/> Information Disclosure Statement Transmittal Letter                        | <input type="checkbox"/> Request for Corrected Filing Receipt w/copy of Official Filing Receipt |
| <input type="checkbox"/> Request for Oral Hearing  | <input type="checkbox"/> Request for Corrected Notice of Recordation of Assignment w/copy of Notice | <input type="checkbox"/>  |
| <input type="checkbox"/> Reply Brief   | <input type="checkbox"/> Request for Continued Examination  | <input type="checkbox"/>  |
| <input checked="" type="checkbox"/> Response to Restriction Requirement or Election of Species     |   |   |
| <input type="checkbox"/> Terminal Disclaimer   |   |   |



(05/03)

54



Patent  
Attorney's Docket No. 003510-110

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )  
Kazuhiro FUJIMAKI et al. ) Group Art Unit: 1752  
Application No.: 09/932,975 ) Examiner: Barbara Gilliam  
Filed: August 21, 2001 ) Confirmation No.: 6820  
For: IMAGE RECORDING MATERIAL )

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JUN 12 2003  
TC 1700

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
Alexandria, VA 22313-1450

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Favorable consideration on the merits is respectfully requested.

Respectfully submitted,

06/16/2003 RWIMBUSH-00000002 024800 09932975  
01-FC:1252 410.00 DA

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Adjustment date: 01/05/2004 EEKUBAY1  
06/16/2003 RWIMBUSH 00000002 024800 09932975  
01 FC:1252 410.00 CR

By: Robert G. Mukai

Robert G. Mukai  
Registration No. 28,531

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: June 10, 2003